MONDAY, JANUARY 12, 1880.

Amusements Fortrag. Brandway Opera House First Life Geards Breaklyn Park Theatre-Our Girls. Daly's Theater—As Arbien Night.
Fifth Avenue Theater—Picates of Pen Grand Opera Monno-The Danties.
Managing Mannier—The Prints.
Managing Mannier—The Prints.
Managing Mannier—The Prints. Moster & Blat's Garden-Couners Row York Agentium—Parislan Circus. Riffic's Gueden—The Carley Slave. Pork Theaten—Pairist. Standard Theatre Françoitus

Sain Francisco Minetrale—Francisco and 19th St. Thombus Camique—Killigan Garris' Christmas. Takey Funtor's Thombus—Variety.

Tetal for the week.

The regular circulation of THE SUN for the week ending Jan. 10, 1880, was: 115,862 Thursday 115,862 Priday 115,985 Saturday Tuesday.....

A Suggestion to the Czar-

The Czar of All the Russias is represented to be in great mental trouble from bedily fear of being shot, or blown up, or seeas signted in some way. Indeed, the apprehonsion of a violent death is said so to-prey upon him that fears are entertained lest it shall drive him mad and shorten his days.

It renders his existence perfectly miserable. For the relief and benefit of the Czar we kindly suggest to him that there is a very simple method for him to escape from the dangers by which he is surrounded and the constant anxiety by which he is oppressed Let him abdicate and come to this country. The assassins will then have no further oceasion to fire at him or to blow up the train by which he travels.

In front of THE SUN building is a fruit and peanut stand enjoying a liberal run of custom. If the Czar will buy out this peanut stand and give to it strict personal attention, the business may probably be greatly increased-sufficiently to afford him an excellent living. His thoughts by day and his dreams by night will no longer be disturbed by fears of some deadly attack. He can take out naturalization papers and vote any ticket he chooses—Republican, Democratic, or scattering. Being so near THE SUN office, he can get his paper early in the morning. and enjoy reading it vactly. He may live to a great age and die an easy, natural death. When he is gone there may be less pomp and mockery of mourning; but he will be spoken of as a good fellow, worth a dozen Emperors.

It is related of Gen. GRANT that when during his first administration, some Republican Senators waited on him with inntestible evidence concerning the corrupt practices of a high official who was his personal friend, be thanked them, and they went away under the impression that the offender would be speedity removed and probably indicted. But hearing nothing more of it, they called again, and asked if he was not convinced of the man's guilt. He answered that he was, but he meant to stand by him. It was easy, he said, to stand by one's friends when they are right, but hard to do so when they are wrong. He did the latter, and was proud of it. The official continued in place; his delinquencies were covered up, and he is unsuspected to this day. This anecdote may be true or false, but it illustrates the principle upon which GRANT has gone through his entire

We observed some days ago in a respected morning contemporary a letter from Washington, in which it was gravely set forth that GRANT, having learned a great deal in his tour around the world, shrank from the touch of "the soiled hands" of some of his old cronies, and really regarded their advances as an insult to him. If this be so, demonstrations in his honor, have exhibited a singular want of respect for his wishes. On his arrival at Washington-the very place where he is said to have made this remarkable revelation of his mind-he was welcomed almost exclusively by "soiled hands." The Tyners, the Creswells, the SHEPHERDS, and the BARCOCKS were there in force, and the vigilant eyes of the press falled to discover any other kind.

It was understood that the managers originally intended to keep this class in the background, but it is also understood that the plan was abandoned in obedience to GRANT'S personal wishes, and as he came further East be was gradually more and more closely surrounded by them. Boss SHEPHERD attached bimself early, and at Philadelphia the whole gang swarmed into open view, and were publicly recognized by their friend and patron. Belknap had a long private conference with him, and Robegon stood up with him to receive at the Union League. Even JOHN PATTERSON turned up along with his old friends. Rong-BON, HORACE PORTER, Dr. NEWMAN, and the rest, as "guests of the city," fed, liquored, and lodged at the Continental and at the expense of the taxpayers, because they were known to be the peculiar friends and most acceptable companions of the ex-President. To these men, and others like them, GRANT sticks to-day as he stuck to them through his eight years of extravagance and corruption while in power. He has no desire to be rid of them, for he feeds upon the incense they offer. He could not escape them, if he would, any more than HAYES could escape Wells, Anderson, and the other scoun drels who had to do with the Fraud of 1876 and are now in office, maintained in luxury at the cost of the swindled people.

# The Catholic Church in France.

A source of difficulty and disturbance in the present situation of French politics is the species of quarrel that has arisen between the Republicans and the clergy touching the FERRY education bill and the reduc tion of cherical salaries. The compact and efficient organization which renders the Catholie Church so powerful in France was strikjugly described in the words of the Cardinal of Rouen, uttered in the French Senate some years ago: "My clergy form a regiment. When I say march, they march." The size, however, no less than the discipline of an army, is a question of importance, and some data lately published will be found to throw much light on the numbers and resources of the clerical element in France.

It is not surprising that Catholies should regard with especial satisfaction the resurrection and development of their Church in France since the beginning of this century It is not merely that they have reached their present state of cohesion and solidity from one of absolute impoverishment and collapse, but they have done this without any strenuous and sustained assistance on the part of any of the Governments which have successively managed Prance. Under the first empire the clergy were kept in the strictest tutelage, as might have been ex- public trusts in consequence of his pro-

pected from a ruler who did not scruple to imprison the Pope himself at Fontainebleau. If we except its last few years, the Restoration was scarcely more favorable to the Church, while under Louis PHILIPPE there was a prevailing indifference in matters of religion, and the influence of the Catholic priesthood was supposed to be extinct. NAPOLEON HI. defended Pies IX. at Rome, but he treated the French clergy in a suspicious, vaciliating way, and one of his Ministers of Public Worship advocated the very policy now pursued toward the Church by the leaders of the Left. Under these circumstances, the reconstruction of Cathol-iciem in France, and its present exhibition of social and moral force, are truly aston-

ishing phenomens. The Concordat concluded between the First Consul and Pres VII. in 1801 is still the basis of agreement between the French State and the Roman Church. At that time the latter possessed literally nothing in France except some churches and religious buildings. The rest of its property, then valued at about a billion dellars, had been confiscated by the revolutionary Government, and the fixed income, granted by way of compensation, had for some years ceased to be paid. Of the 150 Bishops who had existed 1789, only 82 still survived, and of these only 18 were allowed to form part of the new hierarchy. The numbers of the secular clergy had in the meanwhile dwindled from 70,000 to about 20,000. As late as 1821 there were still 15,000 vacant cures, and it is perhaps strange there were not more, seeing that during the fourteen years of the consulate and empire the Church had to deal with a hostile generation, brought up in the principles of the Convention. But thenceforward its progress was steady, and according to the latest census there are now some 150,000 ecclesias ties in France, of whom about 50,000 belong to the parochial clergy. The non-secular priests are, to a large extent, employed in educational functions. In each of the ninety dioceses of France there are now two and sometimes three minor academies, usually combined with several ecclesiastical colleges of a higher grade, the latter containing on an average from 150 to 200 pupils.

The revenues which the Church of France

had lost by sequestration during the Revo-

lution are variously estimated at from \$40,000,000 to \$80,000,000 a year. By the Concordat the State guaranteed a budget which, in the present year, as fixed at the present session of the French Legislature, is \$10,315,000, of which a million and a half are assigned to the repair and building of parochial edifices. Until lately, the allowance to the Archbishops has been \$4,000. and that to the Bishops \$3,000; but this year the Chamber of Deputies has cut down these stipends by \$1,000 in the former case and \$400 in the latter, directing the amount thus saved to be distributed among aged and infirm priests. In regard to the latter stipulation, it is fair to note that the clergy are the only class of French functionaries who do not receive retiring pensions. As regards the stipends paid by Government to the parish priests, these may be placed in five categories ranging from \$380 to \$180 per annum. The State also guarantees an income of \$60 to the vicars or assistant priests in rural parishes, who in England would be called curates; but it makes no provision for those employed in large towns. The latter are wholly sup ported by voluntary contributions, and in general it may be said that the revenue of the French clergy is derived from three sources, viz., the Government salary, their casual receipts from fees, and the offerings of the faithful. Careful inquirers set down the average income of the parish priest accruing through all these channels at from \$340 to \$360 a year in country districts, but, in addition to this, there is always a house, almost always a garden, and sometimes a meadow, field, or vineyard. As regards the social stratum from which the recipients of these modest salaries are drawn, we find that the French clergy is recruited, almost excluthe men who have him in charge, and sup- sively, from the sons of peasants, farmers, scribed in England as the lower middle class. In respect, therefore, of family or caste affiliations, the Church of France is much more democratic than either the Anglican Establishment in Great Britain or the Catholic Church in Austria. And here it may be worth while to point out to those who assume an irrepressible conflict between the Catholic Church and free institutions, that, however outspoken the French Episcopate have shown themselves against any interference with Catholic schools, scarcely a single word has been uttered against the republic, so far as its form of government is concerned.

When we consider where it started in 1801, and with what slender materials it has built up the present imposing fabric, we cannot wonder that the Catholic Church should impress all French statesmen with profound respect, whether the sentiment takes the form of apprehension and aggression or of caution and conciliation. Among the men who have been foremost in Republican councils there is a wide difference of attitude in this regard. Junea FERRY believes that the clergy should be deprived of educational functions, and his policy is likely to prevail, since his views are shared by GAMBETTA. JULES SIMON, on the other hand, looks with grave misgiving on the assault upon the clerical schools, and he is sustained by the well-known opinions of THIERS, who is credited with saying that the man who devours a priest always dies

of the meal.

Colfax. We print elsewhere an appeal from the editor of our esteemed contemporary, the South Bend Herald, for mercy to SCHUYLER COLPAX. Mr. MURRAY is a neighbor of the fallen man, and is touched by a human sense of his misery and degradation. He does not attempt to deny or to extenuate his guilt, but, feeling that he has suffered enough, would leave him for the future with his own conscience. This is the substance of his letter so far as it relates to COLPAX.

But when Mr. MURRAY comes to sit in judgment upon the motives of THE SUN, he commits an error from which a journalist, of all men, should have been free. We have never entertained a spark of malice toward COLFAX any more than we did toward his eminent associates in the Credit Mobilier corruptions. But there were degrees of guilt among them. GARFIELD and COLPAX added to venality perjury, and to perjury religious hypocrisy of the most revolting kind; and Colfax surpassed even GAR-FIELD. He rose to an infamy entirely exceptional. Swearing himself out of one crime, he swore himself into another. Denying that he received AMES'S bribe, he accounted for the items of his bank account by admitting that he was in frequent receipt of bribes from another source. Shrinking from the embrace of the Credit Mobilierist, he feil into the arms of the Post Office contractor, which, considering his re-lations to the postal service, was much worse. When it is remembered that this man had been raised to the highest

fessions of superior morality, the character of COLEAX becomes the most odious in the whole line of Christian statesmen. But we meither felt nor expressed the slightest per-sonal vindictiveness toward him. We exposed him as we exposed the rest, and we presume that in that particular Mr. MUR-RAY will admit we did no more than our duty.

But Mr. MURRAY pleads that he ha fallen; that he has sunk into private life under a load of diagrace quite heavy enough as it is; and that all allusions to his crime are, for that reason, cruel and unsec We need hardly remind Mr. MURRAY that COLFAX accepted his fate with an ill grace. He struggled against it with the desperation of a criminal. He begged, and protested, and wriggled, and ited; and steeped in appalling perjuries lips from which the saintly smile of the habit-ual hypocrite was dismissed for the occasion. The retirement, which Mr. Mus-RAY thinks should shield him from the further mention of his name and offence, was not voluntary, and would not be maintained an hour if he could help it. He thrusts himself forward wherever he can induce anybody to listen to him. We find him at religous meetings of various kinds, with the old smirk on his face and the old drivel on his tongue; and we find him on the lecture platform insulting the memory of Lincoln by impudently mouthing a paitry lecture about that great patriot. Instead of confessing his crimes, he tries to brazen it out and pass for innocent. Are these evidences of proper contrition, or of submission to the mild judgment which his countrymen passed upon him? Mr. MURRAY may rest assured that Colyax is, in his own estimation, as much a public character as ever he was, and that he looks forward with impudent hope to the period of his resurrection, when the rogues who fell with Grantism shall rise with Grantism, and a Credit Mobilierist will be next in honor to a Whiskey Ring thief or a millionaire snob.

### The Hot Springs Reservation.

After the Supreme Court decided that the Hot Springs Reservation in Arkansas was the property of the United States, and not of certain persons who had claimed, long pecupied, and leased it, an act was passed March 3, 1877, to appoint three Commission ers to lay out the tract within presoribed limits, and to show on a map the parcels of iand claimed by reason of improvements made thereon. "And finally to determine the right of each claimant or occupant to purchase the same, or any portion thereof, at the appraised value, which shall be fixed by said Commissioners."

This Commission was to continue one year, and twenty-seven thousand five hundred dollars were appropriated in a lump for compensation of three Commissioners, clerk, and stenographer, and office expenses of surveying, &c. The Commissioners, once in office, took things comfortably, and passed the summer at the northern resorts of pleasure and fashion. Ex-Senator CRAGEN had to be provided for when his term expired, and was

assigned to this easy and profitable place. When the Forty-fifth Congress met the work was not finished, of course, because there was no intention to complete it, and the Commission was extended another year. with another appropriation of twenty-seven thousand five hundred dollars. At last the business is wound up, and with the usual scandal. The Commissioners reported the result of their labors to the Interior Department, and the Secretary sent the report to the Senate, with charges of gross corruption against the Secretary of the Commission, alleged to affect seriously a large number of their decisions on claims.

The Commissioners protend they had not time to investigate these charges, and thereforesent them with the report to the Interior, knowing that, without the most speedy intervention of Congress, the last day for the Secretary to give the necessary instructions to the land officers at Little Rock to make entry of the lands in conformity with the report would have passed. Whether this delay was timed with the et of defeating inquiry and thus to cor firm titles alleged to have been procured corruptly, will doubtless appear in the investigation which must now be made.

This is the old story, repeated in a new form. Thievery is the rule, wherever a chance to steal is offered. It runs all through the public service, and without a change of Administration, which shall bring honest men into power, the Treasury will be bankrupted. This Hot Springs Reservation is a most valuable property, and is destined soon to become one of the greatest sanitary resorts on the continent. A Ring was or ganized, while Dorsey was in the Senate. to steal it by legislation, and when that failed the lobbers fell back on the method which now seems to have been adopted of using corruption inside the Commission.

# Pietro Malbo.

Possibly if anybody ought to be hanged PIETRO BALBO ought to be. Then possibly he ought not to be. That he killed his wife he admits. And indeed there may be no reasonable doubt that the killing amounted to murder. Is it equally clear that it was not murder in the second degree, instead of murder in the first degree? He sticks to it that she was engaged in an altereation with him when he dealt nor the fatal blow. There does not appear to be any conclusive proof that his statement is not true, and if it is true, then by our law he is entitled to be punished by imprisonment for life instead of hanging.

We do not undertake to decide the case. We only say that it should be borne in mind that he is a young foreigner, ignorant of our language, and friendless with the exception of his able and faithful counsel and the Sisters of Charity who minister to his spiritual needs. Under such circumstances special care should be taken both by the courts and the Executive that no injustice be done him. It is only to this end that we speak. And if there is an error it should be on the side of mercy. The circumstance that several years ago a foolish young murderer exultingly exclaimed that hanging was played out, furnishes no reason. as it has sometimes seemed to be supposed to, for hanging a man about the degree of whose offence there is some room for doubt,

meet on the sidewalk in front of a church because the officers of the church refuse to open its doors to them. Possibly before the hour appointed for the meeting the elders of the Clason Avenue Presbyterian Church, in Brooklyn, may relent. But whether they do or not the fact that church sessions are unwilling to show it bospitality is not by any means the most remarkable thing about the Presbytery of Brooklyn. That is a mere trifle beside the fact that it numbers among its members in good and regular standing a preacher whom a score of his brethren in the Presbytery have denounced by their votes as a descitful person and a teller of lies; several other preachers whom this first preacher has publicly denounced from his pulpit as suffering from "moral rottenness;" and two venerable doctors of divinity who, for weeks past, have been accusing each other, privately and publicly, of acts and practioes that would be thought disgraceful in a

police court pettifeneer. How can brotherly love continue, as the apoetle exherts, is such a body as this, and what effect are its chronic aranglings likely to have upon the flocks who look to these enery pastors for examples of Christian living?

Maine has been inhabited by English speaking freemen for two centuries and a half.
For sixty years she has been a State of the
American Union, enjoying all the blessings of
civil liberty and soil-government. Yesterday was the first Sunday in her history whose dawn ing and setting our found the people of Maine under the rule of a Major-General of Militia. May no succeeding Sunday ever see such a conon of things in Mains or in any other

American commonwealth! Bishop Coxe of western New York holds that Christianity is neither dead nor dring, though the scientific tailors of Tooley street flatter themselves that they have dug its grave. The unbelievers of Germany are becoming be analysis is the product of scorn;" in England.
Mr. Gzaperown is a believer; in this country,
church belis are heard where once the bison
and the bear were undisturbed; and in Austrain grand cathedrals are rising. The intellecof Christendom is hardly excited enough by "Medern Thought" to gird up its loins for a conflict with it; but the accentific quarks are putting edge tools into the hands of the pepulace, and this has its perils. The venerable Bishop is not at all alarmed at the state of things as he surveys the world from his Protestant Episcopal watch tower. It will strengthen many timid members of the clergy to know that this champion of the faith scorns he menaces of the enemies of the Church.

JOHN BRIGHT has lately been making an eloquent eulogy of the United States, the occa-sion being a welcome at Boehdale to Mr. Por-TER. M. P., who lately visited this country. Mr SRIGHT gave these as some of the reasons for

emigration from the Old World to America: "All needless expenditure, all unnecessary and grind-ing taxation, every harsh and needless law, foreign pol-icy which is toolish or wicked, and costly laws which and up the land, and enum the great bulk of the populs

The more Mr. BRIGHT praised the institution of America, the more he denounced those of Europe, using such language as this:

"I wonder whether it occurs ever to the crowner they are now pursuing. Hvarywhere dovernment armie-est up the comforts of the people, and everywhere mili-tary exactions are becoming more and more uncodurabe-everywhere menaces, acts of warfare, extravagano and growing debt. These things create discontent, invis ot absolutely necessary—and lay the foundation of fun smental changes in function."

It would be well for the rulers of Europe to give heed to such advice.

Brother Moony is laboring with the Gov ernor of Missouri to secure a pardon for a convert of his, a preacher and GRANT boomer nov serving out a seventeen years' senter forgery. It remains to be seen whether Brothe Moony will be more successful in moving the Governor than he has been in persuading the obdurate sinners of St. Louis to fee from the wrath to come.

To-day the Maine law-makers reassemble in the granite State House at the head of sloor navigation on the Kennebee, and the Presiden of the Senate, Mr. LAMSON, will almost cor authority as asting Governor of the State. The the Republicans will refuse to recognize this authority, and that the certificated Republican members of the House who have not yet quali fied will decline his invitation to appear before him and go through that formality, is a matter of course, unless the consultations of Sunda have resulted in a radical change of pro-

A matter of more doubt is the probable action of Major-Gen. CHAMBERIAIN. Mr. LAMBON himself, who has talked the matter over with eral will not make him any trouble; but Mr BLAINE, who is perhaps quite as likely as Mr Lamson to have correct information on this point, says that the Major-General will set Mr. Lamson's authority at defiance. If he does, the situation will become even more serious than

It was not in New Orleans, or Memphis, or Little Rock, or Louisville, but in tranquil, steady-going Hartford, the city of insurance palaces and stump-tailed churches, that a more or less aggrieved nusband on Saturday blazed away with his little revolver at the doctor. The family doctor promptly pulled out another revolver and blazed away in his turn at the more or less aggrieved husband. Then the Prosecuting Attorney talked things over with the combatants, after their wounds had been patched up and their anger had cooled down, and decided that there was no necessity for troubling the courts with the affair. The Southern newspapers will enjoy reprinting this incident of life in hotblooded, lawless New England.

### AN EARLY ADJOURNMENT DESIRED. Congressmen Seized with the Mania for Stock

and Mining Speculations.

WASHINGTON, Jan. 11 .- The elder members of the House are surprised at the almost unanimous desire of both parties for a speedy adjournment of Congress. At the same time only little hope is felt by the experienced members that Congress will adjourn before midsummer.

The Democratic leaders are generally of the opinion that they will be upable to shape any legislation which will materially benefit the party before the Presidential election. The Republicans seem to be convinced that the Demoerats will make no serious blunders en impor tant questions, thereby to make votes for the Republican candidates. The members are also desirous for speedy adjournment, from seifish considerations. The mania for stock and mining speculations has select a great number of the Representatives. Every moment that can be snatched from Congressional business is oc eupled in leaning over the New York Stock Exchange tickers. One of the largest firms of New York brokers has established an office here. and a special wire is run to the Capitol to enble the members to learn the quotations without trouble or delay. Thrifty Congressmen believe that they can make a great deal more money at the present time by attending to pri-

### vate business than to legislation. A Plea for Schuyler Colfax.

TO THE EDITOR OF THE SUN-Sir: Soon after the death of Hurace Greeley I lost all confidence in the New First Testage, and instinctively turned my face to-ward Tue Sew for that hight on all public measures which I cought in the Privace previous to the going down of it illustrious political luminary. I now look upon Tun Sen as the ablest conducted paper in the United States. It is domocratic from principle and not from a party stand-point, and therefore all the more influential among the people. But one thing Tax Sur lacks, and that is charity, or that generous treatment of political opponents which springs from charity. I am a Democrat, and a portion Democrat at that, yet

and havy; it does not arrest the action of the Pederal courts; it does not stop the collection of revenue, internal or external; it does not displace any of the heads of departments, executive commissions, foreign Muisters, or any other of the eivit employees of the Government. All these persons will continue in office, and would, in any opinion, be competent for the discharge of all their duties, even in the contingency of the temporary non-existence of any irresident of the United States. That is not a state of things which the Democratic House of Representatives can be supposed to desire. Although the Constitution does not expressly provide that in case of non-dection the existing President shall have been dely effected. Yet it would not be rush to argue that such is the implied meaning of the Constitution. In that event tien, tirant would continue to exercise the functions of President.

Mr. Cushing was in New York on the 19th of I cannot agree with Tau Sun in its constant abuse of Schuyler Coltax or this place for the part he took in th Schuyler Golfax or this place for the part he took in the Grant Antonistration spoidation and public plander of that period. The whole of the Bequidean lenders in Contross, as well as some of the Bequidean lenders in Contross, as well as some of the Bequidean lender tooks in this dering. The people evend not in this der tooks in the feeting. The people evend not a this people to the people of the people o rant Administration spoliation and public plander o Mr. Cushing was in New York on the 19th of October, and sailed for his post in the Parthia on the 6th of December, 1876, two days after the meeting of Congress. He was, therefore, in the United States before, during, and after he Presidential election. Whether he came home voluntarily, to witness the scenes at that time and to study the political situation, or was told to come for an ulterior object, is not, and probably will not, be known. Nothing was easier than to disguise the visit under the color of diplomatic duty. He was in the most intimate confidence with Grant, Fish, and their associates, and kept an assortment of opinions ready for whatever duty they wanted. He wrote despatches, messages, and so-called State papers to order, as a matter

no committee of investigation will ever uncover. new that he is at rest from a laborious and time

An Open Letter to the Hon, John Kelly, Brn: You have lately caused to be publish ous heresy that Grant could hold of in this city an allegation that the state of THE SUP'S circulation during one over was worthy of his genius and consistent with his character. It would not have troubled ed in this journal on Dec. 28, 1879, is false. him in the least to go much further than that, and his employers required it. According to ant was as follows: "Fidelis." Mr. Cushing "fully agreed with you [THE SUN] that Mr. Tilden was elected President 11,007 Thorsday of the United States. He held that the action of the Louisiana Beaurning Board was an outrage which could not be justified even by a latitudi-

SHE CIRCULATION OF THE SUN.

As the business manager of THE SUR. I re-spond to your challenge as follows:

I authorize Mr. Palmer to pay my \$5,000 to the

rectly stated, then your deposit shall be paid over by Mr. Palmer to the same charity, and

mine shall be returned to me.
Your obedient servant, L. W. Emgland.
Owned of The Sun, New Your, Jan. 9, 1890.

CALEB CUSHING AGAIN.

WASHINGTON, Jan. 8 .- To redeem

pledge made in a previous letter, I now furnish the direct proof that Caleb Cushing did express

the opinion, and cause it to be published for a

failed to declare a President elected before the

atti of March, 1877, and there was an actual va-cancy in the office, Gen. Grant could held ever until after a new election was completed. That

statement was coarsely denounced as "untrue

by a correspondent signing himself "Fidelia who emphasized the denial by adding." I kno

The following report of the interview with him, the material of which seems to have been

fully prepared for publicity, and to serve a ce

tain purpose, shows that he not only held and

ultered this opinion, but that he had the

audacity to attempt to justify it as "the implied

meaning of the Constitution." This schume

seising the Government by ferce, and of sub

erting all constitutional authority, was pub

lished two days after Zach Chandler had set the

ball in motion to organize the conspiracy by which the Presidency was stolen. Cushing's plan was one of the alternative parts of the plot.

which would have been carried out had that

which fluxly succeeded failed. The intention

was to ledge that idea in the public mind, as a

possible outsome of the complication, before Congress met and while the press was engaged

Here are the views of Mr. Cushing, and evi

dently put in form with care, either by his own

and or after cautious revision. His habit was

owed loose lauguage to drop from his lips,

to study the value of words, and he never al

with the cars of a large audience to catch eve

word, and a vigilant press ready to eriticis

and interpret its meaning. He therefore speaks for himself in the subjoined interview:

From the New York Hereald, Nos. 11, 1870.

COUNTING THE VOTE.

COUNTING THE VOTE.

WASHINGTON. Nov. 10, 1876.—Mr. Caleb Cushing, who is temporarily in Washington on business connected with his mission to Spain, in the course of an interview this morning at his hotel, gave the Herald correspondent a very intelligent view of the present complication. After an introductory interchange of remarks about the curious position of political affairs, the following conversation took place:

Q.—Mr. Cushing, suppose that its should turn out that, according to the record of votes as rendered by the authorities of the several States, Mr. Hayes has 185 votes and Mr. Tilden 184 votes, and suppose that the Democratic party should protest that the return of the State of Plorida, for instance, is a fraudulent one, what would be the effect of such protest?

A.—The Constitution knows nothing of parties; party conventions are wholly outside of the Constitution: no act of theirs has any legal effect. The Democratic party as such can only act through extra-constitutional public assembless. The possible danger, if any, in the surposed state of things, is to be found in possible action of the two Houses of Congress, or rather that of the present House of Representatives with its Democratic majority; there may be conflict of opinion and action between the Senate and House of Representatives with its Democratic majority; there may be conflict of opinion and action between the Senate and House of Representatives with its Democratic senations of the two Houses of Representatives with its Democratic majority; there may be conflict of opinion and action between the Senate and House of Representatives with its Democratic senation between the Senate and House of Representatives with its Democratic majority; there may be conflict of opinion and action between the Senate and House of Representatives with its Democratic majority; there may be conflict of opinion and

of business, and got well paid from the secret

service or some other convenient fund, which

in discussing eventualities.

that such was not Mr. Cushing's opinion.

object, that in case the two Houses of Copere

rustees or managers of the Roman Cathol Orphan Asylum of New York and to pay your \$5,000 back to you. If, on the centrary, they

Total for the west ......

I will deposit the sum of (\$5,000) five thousand dollars in the keeping of Francis A. Palmer, President of the Broadway National Bank, and you, Mr. John Kelly, shall do the same. These Now, the whole point of the foregoing interview is a challenge to this statoment. So far from intimating that Mr. Tilden was elected, or that any fraud had been committed in Louisi-ana or chewhere, his thought was directed ondeposits shall await the decision of a committee to be composed of Sinclair Tousey, Esq., Proci tirely to the probable course of the Demogratic House of Representatives; that is to say, nt of the American News Company, the Ho John Kelly, Comptroller of the City of New York, and David M. Stone, Rec., editor of the whether they would resist or submit to the iniquity. He had all the knowledge in regard New York Journal of Commerce. If this committee, after a full, minute, and thorough examination—for which purpose they shall have access to our books, papers, press room, and mailing room—do not find that the circumitation—for the circumitation of the circumita to the election that was common to the public; he knew Hayes had admitted his defeat, and he also knew that Louisiana, South Carolina, and Fiorida had voted for Tilden, Therefore nothing short of a successful conlation of THE SUN for the week in question was correctly mated in the above figures, the

spiracy could put Hayes in the White House enable Grant to hold over under Cushing's schema. Hence he was most exercised about what the House would do, not to protect Mr. Tilden's rights, butto thwert the conspirators. in whose cause he was callsted.

Mr. Ousbing artfully pretended the Countity

narian construction of their powers under the election laws of that State."

tion did not contempiate the contingency when the two Houses would full to agree in declaring a President elected, and there cording to his opinion, Grant could have held over if that contingency had occurred. Or, in his own words, as reported, "it is possible, though in my opinion altogether improbable, that the 4th of March next may arrive without a lawful declaration of the election of a new President in conformity with the prescription of the Constitution. For that continge provision is made by the Constitution."

This dictum was not delivered in ignorance for Mr. Cushing was a man of vast learning and I remarkable parts. The design was to fix a false belief in the public mind in connection with the plan of Grant's holding over, as he described it, "growing out of the necessity of things"—the old pies of tyrants and usurpere. He knew perfectly well that the Senate, there with a clear majority of ten, could, on the night of the second, or on the morning of the third of March, or at any other time, elect a Presider pro tempore in place of Mr. Ferry, who would step into the White House if there was a va cancy, and remain there until a new Presiden

was regularly chosen. The Constitution guarded against the danger of an interregaum by making the Senate a per manent body, one-third of which goes out ever; second year. If the contingency had happened by which the House refused to complete the it is true, have declined to perform its swor luty, and, by a revolutionary refusal to act, coul have brought about the very state of things sug gosted by Mr. Ousbing, when Grant might hole over. But that would have been the end of free government

Assuming the assertions of "Fidelis" to be true as to "Mr. Cushing's positive convictions bout the election of 1876," and to rest necess rily upon his personal assurance or upon sor respondence with him—for he refers to "hi own language"—and comparing them with these revelations, there will hardly be much disagreement of opinion that he is presented by this contrast as one of the most odious char eters in American history. And before b died he ought to have prayed fervently to be aved from the zeal of superserviseable frien desiring to defend his memory.

An Error About Mr. Patrick Meledy. TO THE EDITOR OF THE SUN-Str : In to-day' shot the police constable, hearing of his own exploit. In the report of Mr. Parnell's speech, where aliusto

In the report of Mr. Paracilla speech, where aliasion was made to Mr. Glodetone's reference to the Mauchester rescue, the reporter again says: "Patriot Meledy, the Irashman who shot the police constable before reserved to, was il-steining to Mr. Paracill's speech."

Now I would state that I did not shoot Brett, the constable. I was convinced on the perjured testimony of thieves, prostitutes, and subsidized constable, while I had respectable cliusus of Mauchester to prove an alid. It was proved beyond the singlow of doubt that I had not shoot whatever to do with the shooting of firett, but Birdish law demanded more victims, and I was seminated to the less necential one of pend servitude or lite. After eleven were of incarceration the American Government requested the release of Capit. c. O'Mangher Candon, and clies, necessarily, was granted also.

It is true that I instead to Mr. Paracil in Brooklyn, and this intense price and pleasure ton. I also heard Mr. Dition and the Rev Henry Ward Bescher, who spoke with the large of a Boreax.

Basocklyn, Jan. 10.

# The Criminal Courts,

TO THE EDITOR OF THE SUN-Sir: The erim inal courts in the city and county of New York, known as the Over and Terminer and the General Sessions, are as the flyer and Terminer and the General Sessions, are held by one Judge. In all the other counties in the State the same courts are held by three Judges. Why in the city and country of New York one Judge helds the courts camed and three are required in all the other count os of the State is a question I hope you will allow some reader of the State is a question. The bench of a criminal court made up of three Judges lenks fairer and sounds more like justice than when presided over by a sincle margistrate. That three good men are is a spill to orr than one goed man, it almost a schewident turth. Why one Judget in New York city and three in every other persons of the State? P.

# San Francisco Snubbery.

action between the Senate and House of Representatives that would constitute a very serious difficulty. It is possible, though in my opinion altogether improbable, that the 4th of March next may arrive without a lawful declaration of the election of a new President in conformity with the prescription of the Constitution. For that contingency no provision is made by the Constitution. Several of the State Constitutions provide that the Governor and other periodically elected officers shall hold over in case of non-election, or of the failure to make a logal declaration of election; but there is unfortunately, no such provision in the Constitution of the United States.

Q.—What would be the remedy, and is there any remedy, in case the 4th of March should arrive without any lawful determination of the two Houses of Congress in this respect?

A.—I can imagine several remedies growing out of the necessity of things, but all of them extra-constitutional, \*\* The precise question is of the action of the Democratic majority of the present House of Representatives. Will they push the matter to the last extremity, that of keeping the court open and undecided until the 4th of March? I do not be have so. I do not TO THE EDITOR OF THE SUN-Sir: You say in a recent editorial that Philadelphia is the hothed or auch bory. This is hardly fair to San Francisco, as she claims bory. This is hardly fair to San Francisco, as she claims that delightful honor. It was in that city that the glided nincomposits of her glided society gas down on their Kan es to the returned American Klast, and it is in that the control of the of the present House of Representatives. Will they push the matter to the last extremity, that of keeping the count open and undecaded until the 4th of March? I do not believe so. I do not think we have any reason to believe they will be guity of such conduct, which, while unpartricte to the last decree, would be insunely inexpedient in so far as regards their party interest. For the question is not a sectional one, and does not involve a sectional one, and does not involve a sectional division of the United States. Democrats and Republicans are suixed together in all the States of the Union, and it is quite absurd, therefore, to suppose that the Democratic House of Representatives will promote evil war, which could not be a civil war between one section of the Union and another section, but in the heart of every one of the individual States of the Union and another section, but in the heart of every one of the individual States of the Union. Hence I utterly reject and discard all supposition of any such extreme action on the part of the present House of Representatives.

Q.—But suppose we do discard all idea of civil war, or of the premotion of it by the present House of Representatives, still may not the difficulty drift on till the 4th of March, and so leave the country without a duly declared new President?

A.—I do not think that will happen, for that also would be utterly incompatible with the quality of practical good sense which distinguishes the people of the United States and their representatives in the two Houses of Constress. We are, in fact, considering all the time what the Democratic majority in the House of Representatives in the iwo Houses of Constress the collection of the United States and their representatives will do. Now, if they pertinationally differ with the Senate on the point, the effect will be, in the first pince, to leave the Government of the United States in the hands of the very persons by whom it is now administered. The failure to elect, or to declare elected, the new Preside

Fair Play for the Utes. TO THE EDITOR OF THE SUN-Sir: It seem to me that every honest mun in America should feel it his duty to demouse the intest outrage upon the Uter by the Secretary of the Interior, in remains them the right to get their size of the stary before the American scoule by placing them under caused and exclaning all in interest the press. For months their encodes have had free use of every symme of information to the people. Simile institle demands that the Ut-x should now have the same privilege.

T. H. Theres.

# Mr. Parnell Watched.

LONDON, Dec. 24—Christianus Evel Mr. Parmelli ion tine sea il will have on board the Seydina
some pleasant voyagers. English and American. I conder it they will get up an untertainment on board for the
benefit of the poor searle of Silco and thereatours. Mr.
Farnell had bester be carrell how to spoass for them in
the salton gathering on the occasion. I am unitertain
the salton gathering on the occasion. I am unitertain
the Seydina better the carrell have the dead interesting
persons have stated for the Ministrict and interesting
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for the least the first the address. They are conactival, to place Dense been index the direction of the
persons have stated for the Ministrict and member
of Farial animet, because the meetings are being in anertic of Farianett, because the meetings are being in anertic of Farianett, because the meetings are being in America Indeed, it is probable the Government will be all
the more pations admit what is said by Mr. Parawli in
New York than in Dubtin or Wingo. Prom the New York Them.

The Great Third-Termer.

We used to boast or Washington, Of Jefferson, and other such-Of Jack-on, then, and Lincoln, too; But now they don't amount to much. What do we care, these latter days, For any antiquated blokes?

And how can they compare with Grant. The silent man who drinks and smokes! They all were slow, behind the times,

Quite too fastidious in their ways, And what they eatled their principles Would never suit our rapid days. The old traditions some revers To us are but the lamest jokes, Which we will brush ashle for Grant, The atent man who armas and anoxes Those men believed in vested rights,

And said the people's will was law; But we, whose eyes are opened, see No wisdom in an accient saw. O'er the Republic's battlements Now the imperial raven croaks, To herald the approach of Grant, The silent man who drinks and smokes

Again the Man on Horseback comes, To serve an oligarchy's ends, To rule by force, and scatter each Among his cronics and his friends. Then will the nation bow beneath Babcock's and Belknap's pleasant yokes, Submitting to the rule of Grant.

Plearity pains, and all asthmatic and bronchial affitions, are soon releved by that certain remedy i coughs and colds. Dr. Jayne's Expectorant - ada

SUNBEAMS.

-During the excessive cold many Paris

-The Porte has granted to a Frenchman of the honored name of de Tocqueville a concer lotteries in Turkey.

-Switzerland is this winter almost one mountain of snow; trains, stramboats, and telegraphs have been in a chronic state of interruption.

-A pile of straw was left under a third -In a lawsuit at Rushville, Ind., involving

a question of paternity, a baby was put in eviden order to show its resemblance to the sileged father -Boston has begun distributing soup to her poor from six depote, where fifty gallon bettles and hept rull of what is thought to be a permarkably good ar

icia tor public soup. -"Gulliver's Travels" have been drama-

— "Guilliver's Travels" have been drama-ticed for the Lendon Georg. Swift wrote Broblingrag, but a printer's blender made it Broblingmag, and so it has remained to this day.

—The Parls correspondent of a London paper avere that M. Phillipart has entered upon his seri-ticits at a monastery near Linge, and is going to abandon the scamp and wantly of this wicked world.

-In March a monument to the great com-—In March a monument to the great com-poser of sacred music, Palestrina, is to be insugarant at Rome. Yendi will be present, and will produce two gen-positions written by himself in the style of Falestrina. —The bells of St. Poter's, Zurich, are to be

previous to Eurich's adbesion to the Swiss Pe -London now has, and apparently not before it was acceded, a fluciety for Preventing Street Ac-cidents and Dangarous Driving, which, for the week end-ing Dec. 20, reported two killen and fur@-five injuced

The miraculous release of Churies P. Freezes, who sectioned his child at Presset, is predicted by one of the actual Advertises of that place. According to this authority, the early resurrention of the girl is expected by Freezes and his religious friends.

—A submarine diver was in the Grant

procession at Philadelphia. He stood on a platform wagon, wearing his hure brase belinet, rabber suit, and heavy leadon platea. The weight was very burdemome in the sir, though just the thing for water, and he has since died from the effects of it.

The tar got coid and hard while the mob

was getting ready to punish James Gayten at Warren, R. I. They were out of deors on a cold night, and subody had a match to light a frosh fire noder the lection. So they rolled the naked man in the snow until he wa chilled almost to death, and let the outrage go at their hilled almost to death, and let the entrage go at that.

—The senior peer of the British realm is Lord Kilmorny, an Irish poor, aged 62, about the gayon recor of his day. He is grandfather of Lord Newry, a well known in the theatrical world. Lord Kilmorey ha

large estates in Eugland and in the north of Ireland, but no ver goes near either of them. He lives near London. ... The Pope's new paper, the Aurora, sells for twenty centeelmi, or four cente, and is prived on whiter paper than any other journal in Italy. The leading articles are written by most of Boropean reputation, and refer chiefly to social and political topics connected with religion. The type is very large, like that of the old Commisses Resease, the organ under Pins IX.

—Mrs. Schreiber was assured by a San

Francisco fortune teller that great treable would come to her in consequence of speculation in stock, if she did not quickly get out of that sort of business. It happened that Mrs. Schreiber and her husband had just risked all their savings in a stock operation, and the words of the fortune teller frightened and worried them so much that they

-Two wealthy and respected young mene Memphis agreed to settle their dispute by a duel with fleta. The meeting was in a ring, with seconds and a referee, and the rules of prize fighting. There were seven remide, each suding with the same fellow being knocked down; but finally a blow broke his antagonist's thous, eading the fight with a nominal victory for the whipped pugilist, for the other would not come to time. -Great Britain has two thousand yachts,

with a tormane of 82,630 tons, where prime east was a with a tormage of \$2,930 tons, whose prime cost was at least \$13,400,000, and assuming a fourth of them to be ineemmission during the summer months, the same expended on their maintenance would, at a rough estimate, amount to nearly \$3,700,000. The money spent on yaolta, building and repairs is some \$750,000, and \$,000 mon1.12 the number of the British naval force—are sunjuyed.

Transport Review of Transports of the private of the British naval force—are sunjuyed.

-Reuben Boyce, a Texas stage robber, was in jail at Austin. His wife rode to the prison on a raceborse, and asket if she could take a basket of pro-visions into her husband's cell. Permission was given. The jailer, when he thought her visit had lasted long mouth, spened the cell door and ordered her out. Hoye ame instead. brandishing a revolver that had been car ried to him in the basket, and made his way to the fast

-The Duke of Devonshire, if not a very remarkable man, is unquestionably a very remarkable. Duke. He graduated at Cambridge when 21, secroud. wrangler, thus only missing by one giace the very bigh erally going with it-and the same year was returned as one of the representatives in Parliament of the university an honor without a parallel in a man of his years.

-The Sunday question has for several years been discussed at Eurich. A committee appointed by the Grand Council of the canten has finally drawn up a law after years of study and investigation. Honey forth Sundays and religious fets days are to be completed as days of public rest; shops and public offices must be strut before midday, and all noisy work is prohitated. The committee alleges that by this it does not desire to introduce the " English Similay," but merely such a Sanday that people may pray in quiet.

-The descriptions published of Mr. Millate's mansions and their accessories go to prove painting a paying prefession in England to-day. It is conveniely indicative of the low place accorded socially to get the re that no painter, sculptor, or architect has yet ever reached the baroustage, to which dozens of Advence have been elevated. Artists, as a class, occupy a tar higher social position in Sugand to-day than ever be see since the time of Charles L, the most art leving of mon

-A woman at Stockton, Cal., who had a frunken husband, was waiting late at night for him to some home. The lamp was in her bedroom and she was in the parlor. Bearing a noise outside, as if a man who was drunk was trying to find the gute, she west roll, and sare enough a drunken man was there. She helped thin into the parlor, as she had been used to doing, and placed him carefully on the lounce. After a hard structive sha got his coat and vest off, and then called at the books of she thought they were), but they would not come off. At length she felt up about the ankles and found that

-An interesting work on bookbinding by Mr. Zachuedorff, a bigh authority, has lately been put ished in Lanton Modern binding is sparcely oble; than the invention of printing. The Abbi, and other creat printers, had many manmental devices which they transferred to the works which they were printing and the famous Preach printer, Ocoffeer Tray, had his mark et broten pipkins capied on the bindings of his books. Morecca leather came in early in the sixteenth century. The fashion of embersing arms on bindings was intro theed under Louis XIV, Such blazons demanded on particular skill, but books thus decorated now frich very high prices, as having belonged to celebrides. The send of even Mines, du Birry and d. Pomandoir will the core enermons'y the price of a volume. Mr. Eachielon's first some good advise as to the appropriate hinting of a loss.

-Emperor Norton the First is dead. He imposed title. His subjects were old Californians, who humored ble whim by paying the royal assessments be levied. He was naturally a handsome man, but he mode hunself grotesque by his dress. A pinne siways wavel from his hat, and he wore a tight bine uniform, come times with a sword. When the public mind became excited over any subject, he would set all right by proclamation, signed "Nortes 1." When this the political or financial trouble was settled in his mind. He showed his subtle knowledge of statecraft by aviding the chinese question, about which he thought a rest desicould be said on both sides. He had his own or both of Denis Kenrney, and kept it to himself. Cateries aid not profit by his eastern. His appetite was hearty and his inclination to pay was small. His portrait has lear half in the galleries of the city, side by side with those of Kulokaua, Dom Pedra, and other monarche, and his death brought it to the front in many windows. Sell Francisco is but without a furt for general relicule.

-The Saturday Review says that no one in England hurs new books because Mode takes 1,743 of 1,560 comes of a popular work and lets them out during the period of an author's success. In point of tact Minds of soil likes a far larger manker. This enterprising literarian began als work to a dongs street in Bloomstory, near the British Massain, about noty years now and gradually crept up into prominence, rising emranconsis with the great in women, W. H. Smith & Ca., and the extension of the rational system, until some children years ago be exceed a wast wareforce commensurate with his trade. His earts, carrying to sub seriners their food for the mind, scour the fown just as do those of the grocer and baker currying tool for the body, and every country neighborhood has its book club which gets a tox from Mattie once a week. He a high grade of subscription you can immediately secure a conf. of a work, and a it is not "in;" they get it not such as far to you in the course of a few homes. Mostor's most sections competitors are W. H. South & Co. sections control tooks saids throughout foughtant and Ireland comble them to give great facilities for a constant exclusive of broke. There are several large executating libraries in the was end of London, but they are very small pointers as com-